

CI  
At cont

wherein the glass transition temperature ( $T_g$ 2 value) of the polyester film is above the  $T_g$ 2 value of the base layer but below the  $T_g$ 2 value of the outer layer, and at least one film surface has a surface tension of from 35 to 65 mN/m or has been provided with a functional coating of thickness from 5 to 100 nm or both.

### Remarks

#### **I. Status of claims**

Claims 1-23 are pending in this case. Applicants acknowledge the Examiner's finding of allowability of claim 15. Claim 1 is amended to recite that the at least one outer layer in the film contains ethylene terephthalate units, and that those units are present in an amount of up to 40% by weight of the outer layer. Support for this amendment appears in the original claim.

#### **II. Rejection under 35 U.S.C. § 103(a) over Hosoi**

The Examiner rejected claims 1-3, 7-12, 14, 17, and 22 under 35 U.S.C. § 103(a) as obvious over EP 0 602 964 ("Hosoi"). The Examiner argued that Hosoi discloses a film having a base layer composed primarily of PEN and an outer layer composed of a PEN-based copolymer containing 1-5 wt% comonomer. The Examiner acknowledged that Hosoi does not disclose the relationship between the  $T_g$ 2 values of the layers and film as is claimed. The Examiner argued, however, that it would have been obvious to select the relative  $T_g$ 2 values depending on the specific combination of strength, flexibility, and surface properties for a particular application. The Examiner also reasoned that a blend of polyesters having different  $T_g$  values would typically have a  $T_g$  value that is between the  $T_g$  values of the individual components as recited in the claims. Applicants respectfully traverse the rejection.

Hosoi discloses a polyester film for a magnetic recording medium. The Hosoi film comprises a layer (A) of a polyester consisting essentially of recurring units of ethylene-2,6-naphthalenedicarboxylate, and a layer (B) of a copolyester composed mainly of recurring units of ethylene-2,6-naphthalenedicarboxylate and 1 to 5% by